

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BALUMA S.A. doing business as
ENJOY PUNTA DEL ESTE & CASINO,

Plaintiff,

v.

BENJAMIN SRIQUI,

Defendant.

Case No. 2:20-cv-01424-JAD-EJY

ORDER

Pending before the Court are competing Proposed Discovery Plans and Scheduling Orders filed by Plaintiff and Defendant. ECF Nos. 12 and 13.

Defendant's Proposed Plan effectively seeks a stay of discovery until such time as Defendant answers Plaintiff's Complaint. ECF No. 13 at 2. Defendant's Motion to Dismiss was filed on August 5, 2020 (ECF No. 5), and was not fully briefed until August 26, 2020 (ECF No. 9). Defendant provides no legal or factual support for staying discovery. ECF No. 13. Plaintiff correctly points out that the filing of a dispositive motion does not effect a stay of discovery. ECF No. 12 at 2. *See also Tradebay, LLC v. Ebay, Inc.*, 278 F.R.D. 597, 600 (D. Nev. 2011). If Defendant seeks a stay of discovery, Defendant must file a motion seeking and supporting such requested relief.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Proposed Discovery Plan and Scheduling Order (ECF No. 12) is GRANTED.

IT IS FURTHER ORDERED that Defendant's Proposed Discovery Plan and Scheduling Order (ECF No. 13) is DENIED.

Dated this 25th day of September, 2020


ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE